

ROBIN J. ELACKATT
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

LYNN CLOUSER
Councilmember at Large Position No. 2



CHERYL STERLING
Councilmember District A
JEFFREY L. BONEY
Councilmember District B
ANTHONY G. MAROULIS
Mayor Pro Tem
Councilmember District C
FLOYD EMERY
Councilmember District D

CITY COUNCIL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in regular session on **Monday, April 5, 2021**, at the City Hall, Council Chamber, 2nd Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **7:00 p.m.** to consider the following:

Due to the COVID 19 Disaster and the Center for Disease Control's recommendation regarding social distancing measures, the Mayor, City Council, City Staff members, and members of the public were not physically present during this meeting. The meeting was made possible through the cloud-based video conferencing platform Zoom.

1. **ROLL CALL**

Mayor Elackatt called the meeting to order at 7:59 p.m.

Those also present: Mayor Pro Tem Maroulis, Councilmembers Edwards, Clouser, Sterling, Boney, and Emery; City Manager Jones, City Attorney Iyamu, and City Secretary Jackson.

2. The **PLEDGE OF ALLEGIANCE** was led by Assistant City Manager Glen Martel.

3. **PRESENTATIONS AND RECOGNITIONS**

Mayor Elackatt proclaimed April as "Autism Awareness Month" in the City of Missouri City; and, Mayor Pro Tem Maroulis and Councilmember Clouser recognized "We Rock the Spectrum Kid's Gym" and the "Speech Learning Center" for their impact with families living with autism disorder in our community. Mayor Elackatt proclaimed April as "Fair Housing Awareness Month" in the City of Missouri City. Community Development Coordinator Moore presented an overview on Fair Housing. Mayor Elackatt proclaimed the week of April 11-17, 2021, as "National Public Safety Telecommunications Week" in the City of Missouri City, Texas.

There were no **PUBLIC COMMENTS**.

5. **STAFF REPORTS**

Acting Fire Chief Mario Partida presented a COVID-19 update and an update on vaccination distribution.

6. **CONSENT AGENDA**

- (a) Consider approving the minutes of the special and regular City Council meetings of March 15, 2021.
- (b) Consider authorizing the City Manager to execute a contract for the provision of annual physicals to Fire Department personnel.
- (c) Consider authorizing the execution of a joint elections agreement and contract for elections services with Fort Bend County for the May 1, 2021 special election.
- (d) Consider authorizing the City Manager to execute a contract for pavement lifting services.
- (e) Consider authorizing the City Manager to execute a contract for pavement marking services.

Councilmember Boney moved to approve the Consent Agenda pursuant to recommendations by City Staff. Councilmember Clouser seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Elackatt, Mayor Pro Tem Maroulis, Councilmember Edwards, Councilmember Clouser, Councilmember Sterling, Councilmember Boney, and Councilmember Emery
Nays: None

7. PUBLIC HEARINGS AND RELATED ACTIONS

(a) Zoning Public Hearings and Ordinances

- (1) Public hearing to receive comments for or against a request by H. Paul Dodd of NewQuest Properties to zone an approximate 75.58 acre tract of land to PD Planned Development District No. 108 to allow for a mixed use development to include retail, commercial and multi-family uses; providing a penalty; containing other provisions relating to the subject; and consider the related ordinance on the first of two readings. The subject site is located north and east of the Watts Plantation and Knight Road intersection, south of Hightower High School, and east of the Fort Bend Town Center (containing a Kroger grocery store and a Chase Bank) currently located at State Highway 6 and Fort Bend Parkway.

Interim Director of Development Services Thomas Gomez presented on a request by H. Paul Dodd of NewQuest Properties to zone an approximate 75.58 acre tract of land to PD Planned Development District No. 108 to allow for a mixed use development to include retail, commercial and multi-family uses.

At 8:32 p.m., Councilmember Clouser stepped away from the meeting and returned at 8:34 p.m.

Gomez stated staff recommended approving the PD to allow for a mixed use development; auto-oriented land use character. She added that recommendations were for non-residential to apply LC-3 retail district standards and for multifamily residential to apply MF-2 district except as follows: maximum density of 30 dwelling units, maximum building height of 4 stories, maximum number of dwelling units of 750, allow maximum of 300,000 square feet per structure and allow 230 units per building. Gomez also stated that building regulations would apply LC-3 retail district standards and that landscaping and parking standard regulations would be followed. Gomez stated staff recommends and the Planning and Zoning Commission forwarded a positive recommendation.

Councilmember Clouser moved to open the public hearing at 8:43 p.m. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Elackatt, Mayor Pro Tem Maroulis, Councilmember Edwards, Councilmember Clouser, Councilmember Sterling, Councilmember Boney, and Councilmember Emery
Nays: None

With no public comments, Councilmember Emery moved to close the public hearing at 8:43 p.m. Mayor Pro Tem Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Elackatt, Mayor Pro Tem Maroulis, Councilmember Edwards, Councilmember Clouser, Councilmember Sterling, Councilmember Boney, and Councilmember Emery
Nays: None

Mayor Pro Tem Maroulis spoke about the protest letter that was received pertaining to the implementation and widening of Knight Road and asked for staff's comments. Director of Public Works Kumar stated Knight

Road was to be widened and extended. Councilmember Emery asked what protection they had regarding lighting and sound standards in order to not impact residential areas. Interim Director Gomez noted the property was not immediately adjacent to existing single family residential. She added there were a few homes facing Knight Road but these would be separated by a major thoroughfare. Gomez stated there were no requirements in the PD pertaining to sound but there would be additional distance through setbacks and landscaping. Maroulis inquired if the surrounding would be an all brick fence. Gomez stated there was no proposal for masonry fencing and depending on where the multi-family was placed, that development may require fencing. Mayor Elackatt asked if they would have the typical shrubs. Gomez stated it would be standard buffer that one would see along the major thoroughfares. Emery inquired if there were any issues or concerns regarding drainage. Director Kumar stated there was a requirement to mitigate any impacts created by the development. He noted that engineering staff would review the drainage analysis to ensure the impacts were fully mitigated. City Attorney Iyamu noted the drainage studies would be considered at the planning stage at this was only the zoning stage.

Mayor Pro Tem Maroulis moved to approve the ordinance, as presented. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Elackatt, Mayor Pro Tem Maroulis, Councilmember Edwards, Councilmember Clouser, Councilmember Sterling, Councilmember Boney, and Councilmember Emery

Nays: None

There were no **Public Hearings and related actions.**

8. APPOINTMENTS

- (a) Consider appointing members to the Texas Parkway/Cartwright Road Corridor Development Advisory Committee.

City Attorney Iyamu presented an overview of the Texas Parkway/Cartwright Road Corridor Development Advisory Committee. Mayor Elackatt thanked City Attorney Iyamu and City Secretary Jackson for coordinating the committee and interviews. He thanked Councilmembers Sterling and Boney who dedicated time to interview citizens and Director of Human Resources Russell who assisted with guidance on the scoring system. City Secretary Jackson announced Mayor Elackatt's appointments to the committee as follows: Ertwyn Henry, Natasha Wardsworth, Leronia Boughton, Reginald Pearson, Cherie Jones, Frederick L. Walker, Sr., and Diane F. White. Councilmember Boney thanked his colleagues, staff and applicants for the time they dedicated to the process. Councilmember Sterling thanked the Mayor for the vision in creating the committee and staff for their assistance throughout the process. Mayor Elackatt invited appointed committee members to join him in the Council Chambers on April 19 to be sworn in along with Councilmembers Boney and Sterling.

9. AUTHORIZATIONS

- (a) Consider authorizing the execution of a professional services contract for the Cangelosi Ditch Widening Project.

Assistant City Engineer Davis presented an overview on the Cangelosi Ditch Widening Project.

At 9:02 p.m., Mayor Elackatt stepped away from the meeting.

Councilmember Boney moved to authorize the execution of a professional services contract for the Cangelosi Ditch Widening Project. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Pro Tem Maroulis, Councilmember Edwards, Councilmember Clouser, Councilmember Sterling, Councilmember Boney, and Councilmember Emery

Nays: None
Absent: Mayor Elackatt

- (b) Consider authorizing the execution of an encroachment agreement with Blue Ridge West Municipal Utility District providing for the City's encroachment into the District's utility easement.

Director of Public Works Kumar presented an overview on the encroachment agreement with Blue Ridge West Municipal Utility District providing for the City's encroachment into the District's utility easement.

Councilmember Sterling moved to authorize the execution of an encroachment agreement with Blue Ridge West Municipal Utility District providing for the City's encroachment into the District's utility easement. Councilmember Clouser seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Pro Tem Maroulis, Councilmember Edwards, Councilmember Clouser, Councilmember Sterling, Councilmember Boney, and Councilmember Emery
Nays: None
Absent: Mayor Elackatt

10. ORDINANCES

- (a) Consider an ordinance adopting pay structures and an incentive and certification pay plan for non- exempt personnel and exempt personnel, including fire personnel and police personnel; providing an effective date; providing for repeal; and consider the ordinance on the first of two readings.

At 9:07 p.m., Mayor Elackatt returned to the meeting.

Assistant City Manager Atkinson stated they had presented the payment plan to City Council during the March 20, 2021 City Council special meeting. He stated they were forwarding recommendation of adoption of the item and would answer any other questions Council may have. Atkinson presented on the classifications and compensation plan. Director of Financial Services Portis presented on the implementation and associated costs in 2021. Korita Jones, Gallagher Senior Consultant, stated they support the plan that was presented and were available for any questions.

Jay McClellan, Vice President of the Missouri City Police Officers Association, spoke in favor of the step pay program. He stated he had conversation with personnel in the City and all were in favor of the program. McClellan noted that City Manager Jones had been a strong advocate for public safety and supporter of the Missouri City Police Officers Association.

Greg Ybarra, President of the Missouri City Professional Firefighters Association, spoke in favor of the step pay program. He noted that City Manager Jones had been a strong advocate and a true leader for public safety. Ybarra stated the current pay structure the Fires Department has lost and continues to lose many professionals. He would like Council to support this new pay structure.

Councilmember Edwards asked if they could provide a snapshot of finances within the next 10 years. City Manager Jones stated they could do a 10- year projection, but noted that once they get outside of 3 year protection the confidence level would go down. Jones stated that tonight's presentation provided a 3-year projection which what was submitted to Council annually as part of the budget. He noted they also work with a consultant that assists with the 3-year projections as well as an economist who provides information from a sales tax perspective. Jones noted the plan provides employees a better outlook as they start to plan their careers and would be in sync with surrounding cities. He added the plan would keep Council in control of the plan as it would allow for progressive planning on career employees.

Mayor Pro Tem Maroulis inquired if funds were available would they give all or none or could the percentage be adjusted. Jones stated they could adjust. He noted that at the time the budget was submitted to Council, they had the opportunity to adjust at that moment. Maroulis stated they should enhance the mini-mid-max salaries as they were not being used to fullest advantage. He added there should be an annual review and a promotion process based on performance. Jones stated employees felt that with the current system they could not move forward predictably.

Mayor Elackatt inquired if merit increase was given two years, and if so, what occurred in 2020. Jones stated he could only account from the time he arrived and noted that a SWOT analysis on the organization was performed. Elackatt asked if the item did not pass, what would they do about the two year gap and if staff would be compensated. Jones stated they could provide an overall raise but they would not have a career predictability.

Councilmember Boney expressed concerns with this type of commitment. He stated he hated hearing raises were not given last year because he knows funds were budget for such raise. Boney stated he was supportive of the employees and wanted to make sure they were receiving equitable pay based on the market study. He was concerned with over promising and under delivering and making this type of financial commitment at this time. Jones stated he presented a tax decrease in the budget and they promised Council they would not provide a raise until the study was performed, which was presented at this time.

Councilmember Sterling stated she was in support of the ordinance and to enhance staff morale. Councilmember Edwards expressed support of the ordinance and inquired about tax increasing to support his program. Jones stated that was a false assumption and tax would not increase if they move to a new pay plan.

Maroulis stated he was in support of the increase in certification table and increasing the bands. He believes he has always been supportive of staff and what the consultant demonstrated was that they were competitive. Maroulis noted the retreat presentation was done well but not explained very well as it became a big focus on public safety. Jones stated the proposal showed that if you were on a Performance Improvement Plan or meeting expectations would not receive a raise but it the plan itself was performance based. Maroulis requested a detailed analysis on the outcome if they stayed with the current plan versus if they moved over to the step plan, as he was not ready to make a decision. Jones stated he could provide such information to Council.

Councilmember Sterling stated it was clear the ordinance pertained both to exempt and non-exempt employees.

Councilmember Boney called for a vote.

Councilmember Emery stated he thought it was a pre-mature roll out this plan and they needed more time between the Council special meeting retreat information and tonight's presentation. He believes they need to make sure they do it correctly and for the right reasons. Emery asked if they were really having a problem with retention rate and if so what they were. He asked why only a few cities were using this type of pay plan as opposed to 16 cities not using this program. Jones stated they had worked on this item for over four months and it would be an insult to staff to think the program was premature. He noted it was being discussed with a two reading ordinance due to state law. Emery inquired what Human Resources added to this process. Jones stated they played an effective and critical role in the dialogue and noted every department head was involved in the process. Emery asked if additional staff would be required to implement the step pay program. Jones stated the current staff would be responsible to implement the plan.

Councilmember Clouser stated that employee morale was not always equated to salary. She stated employees should not have to pay for their certifications and asked if it was possible to vote on certain items and table the others. Jones stated he could provide her with the additional information by the second reading if the ordinance were to pass. City Attorney Iyamu noted Clouser could make an amendment to the motion.

Councilmember Sterling moved to adopt the ordinance. Councilmember Edwards seconded. **MOTION FAILED.**

Ayes: Councilmember Edwards and Councilmember Sterling,
Nays: Mayor Elackatt, Mayor Pro Tem Maroulis, Councilmember Clouser,
Councilmember Boney, and Councilmember Emery

There were no **RESOLUTIONS.**

12. CITY COUNCIL ANNOUNCEMENTS

Mayor Pro Tem Maroulis congratulated District Attorney Middleton and Councilmember Clouser for winning the Outstanding Texan award from the Texas Legislative Black Caucus. He also thanked Missouri City Green for all their events held during the year.

Councilmember Edwards acknowledge the Parks and Recreation team members Rigo and Jose for helping her in the “Women for Action” event in which she worked alongside Representative Reynolds. She thanked the Communications Department for spreading the word and capturing the event and the Police Department who made sure traffic flowed and were on scene.

Councilmember Clouser asked for prayers for Thomasine Johnson, Director of the Missouri City Farmers Market. She invited everyone to keep participating in the market and keep support local entrepreneurs. Clouser thanked Mayor Elackatt for proclaiming April as “Autism Awareness Month.” She invited everyone to a bingo fundraiser in honor of Autism on April 23 at Cabo Hot Dogs.

Councilmember Sterling stated she attended the State of the City for Sugar Land and thought it was a wonderful event. She thanked Councilmember Edwards for the stem cell drive along with Carmen Turner. Sterling stated she presented ribbons for Child Awareness Month along with City of Stafford. She gave kudos to Chief Berezin and Interim Chief Partida for doing a great job during recent crisis.

Councilmember Boney gave a shout out to everyone who made it to the Fire Station No.6 groundbreaking ceremony.

Councilmember Emery gave kudos to Interim Fire Chief Partida and the Communications Department for organizing the ribbon cutting for Fire Station No. 6. He stated the Missouri City Exchange Club was an integral part of funding the Child Abuse Awareness month.

Mayor Elackatt stated he along with Councilmember Emery, Director Kumar and city staff participated in the TxDOT public input meeting. He thanked and gave kudos to Missouri City Green for their Trash Off program. Elackatt stated he along with Mayor Pro Tem Maroulis and Councilmembers Sterling and Clouser joined him in proclaiming Child Abuse Awareness month in the City of Stafford. He thanked the Communications Department for make the Fire Station No. 6 ceremony wonderful. Elackatt stated he participated in a ribbon cutting for Uncorked: Daiquiris & More.

13. ADJOURN

The regular City Council meeting adjourned at 10:40 p.m.

Minutes PASSED AND APPROVED this the 19th day of April 2021.

Maria Jackson, City Secretary